

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

WALLACE RAY JUNIEL, JR.
Plaintiff,

v.

Case No. 14-C-1087

CAROLYN W. COLVIN,
Acting Commissioner of the Social Security Administration
Defendant.

ORDER

Pro se plaintiff Wallace Juniel seeks judicial review of the denial of his application for social security disability benefits. Ordinarily, a plaintiff must pay a statutory filing fee to bring an action in federal court, 28 U.S.C. § 1914(a), but plaintiff requests leave to proceed in forma pauperis. Under 28 U.S.C. § 1915(a), an indigent party may commence a federal court action, without paying required costs and fees, upon submission of an affidavit asserting inability “to pay such fees or give security therefor” and stating “the nature of the action, defense or appeal and affiant’s belief that the person is entitled to redress.” 28 U.S.C. § 1915(a)(1).

Plaintiff has filed the required affidavit. Upon review of that affidavit, the court is satisfied that he satisfies the requirements of § 1915(a). Plaintiff avers that he has no income aside from \$187/month in food stamps. He owns no real estate or other valuable property aside from a 1997 Chevy worth \$700. He indicates that he lives with his mother rent-free. Finally, plaintiff avers that he believes he is entitled to the relief sought in the complaint, and on review of the complaint the court is unable to determine that the action is frivolous or that the complaint fails to state a claim.

THEREFORE, IT IS ORDERED that plaintiff's petition to proceed in forma pauperis (R. 2) is **GRANTED**. The file will be returned to the Clerk of Courts for service on defendant.

Plaintiff is advised to provide defendant or her counsel with copies of all future motions or papers filed by plaintiff in this action. In the complaint, plaintiff indicates that he needs 60 days to hire an attorney. The court's standard schedule in social security cases allows 60 days for filing the certified administrative record, then 40 days for the opening brief, which should afford plaintiff enough time to find a lawyer. The briefing schedule may be modified for good cause and with the court's consent.

Dated at Milwaukee, Wisconsin this 9th day of September, 2014.

/s Lynn Adelman
LYNN ADELMAN
District Judge